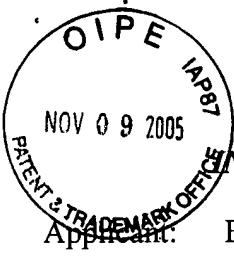


IFW



Atty. Dkt. No. 054446-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad DUESLER

Title: METHOD AND APPARATUS FOR BEVERAGE MERCHANDISING

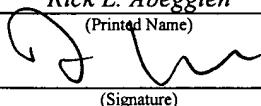
Appl. No.: 10/679,705

Filing Date: 10/3/2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Rick L. Abegglen
(Printed Name)

(Signature)
November 7, 2005
(Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

[] Assertion of Small Entity status is enclosed.

[X] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	4	-	20 = 0	x \$50.00 =	\$0.00
Independent Claims:	4	-	5 = 0	x \$200.00 =	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$360.00 =	\$0.00
CLAIMS FEE TOTAL					\$0.00

[] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[] Extension for response filed within the first month:	\$120.00	\$0.00
[] Extension for response filed within the second month:	\$450.00	\$0.00
[] Extension for response filed within the third month:	\$1,020.00	\$0.00
[] Extension for response filed within the fourth month:	\$1,590.00	\$0.00
[] Extension for response filed within the fifth month:	\$2,160.00	\$0.00
	EXTENSION FEE TOTAL:	\$0.00
[] Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
	CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:	\$0.00
[X]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$0.00

[] Please charge Deposit Account No. 50-2350 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[] A check in the amount of \$0.00 is enclosed.

[X] The Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17 to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

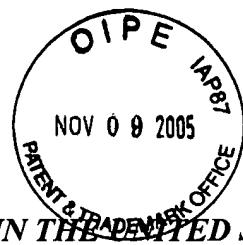
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 7, 2005 By 

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4268
Facsimile: (608) 258-4258

Rick L. Abegglen
Attorney for Applicant
Registration No. 47,371



Atty. Dkt. No. 054446-0105

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brad DUESLER

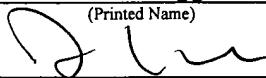
Title: METHOD AND APPARATUS FOR BEVERAGE MERCHANDISING

Appl. No.: 10/679,705

Filing Date: October 3, 2003

Examiner: Cassandra Hope Davis

Art Unit: 3611

CERTIFICATE OF MAILING	
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<i>Rick L. Abegglen</i> (Printed Name)	
 (Signature)	
November 7, 2005 (Date of Deposit)	

AMENDMENT AND REPLY

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Madam or Sir:

This communication is responsive to the Non-Final Office Action that was mailed September 9, 2005 concerning the above-referenced patent application. This response is being filed less than three months from the mailing date of the Office Action, so it is believed to be timely without extension.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 4 of this document.

Please amend the application as follows: